

MEETING ASSISTANCE NOTICE - AMERICANS WITH DISABILITIES ACT

In accordance with the Americans with Disabilities Act the following services are available to members of our community who require special assistance to participate in City Council and Redevelopment Agency meetings. If you require, American Sign Language interpreters, a reader during the meeting, and/or large print agendas, to make arrangements, please call: **Office of the City Clerk (714) 536-5227**.

To make arrangements for an assisted listening system (ALD) for the hearing impaired, please contact: the **Sergeant at Arms (714) 536-5693** or the **City Clerk (714) 536-5227**.

72 hours prior notification will enable the city to make reasonable arrangements to ensure accessibility to a meeting.

**AGENDA
CITY COUNCIL/REDEVELOPMENT AGENCY
CITY OF HUNTINGTON BEACH**

MONDAY NOVEMBER 17, 2003

5:00 P.M. - Room B-8
7:00 P.M. - Council Chambers
Civic Center, 2000 Main Street
Huntington Beach, California 92648

5:00 P.M. - Room B-8

Call City Council/Redevelopment Agency Meeting to Order

Roll Call Sullivan, Coerper, Green, Boardman, Cook, Houchen, Hardy

Pursuant to the Brown (Open Meetings) Act the City Clerk Announces Late Communications Received by Her Office Which Pertain to Items on the Agenda

(1) The Brown (Open Meetings) Act requires that copies of late communications submitted by City Councilmembers or City Departments are to be made available to the public at the City Council meeting. (2) Late communications submitted by members of the public are to be made available to the public at the City Clerk's Office the morning after the Council meeting. (Late Communications are communications regarding agenda items that have been received by the City Clerk's Office following distribution of the agenda packet.)

Public Comments Regarding 5:00 P.M. Portion of Council Meeting (See Next Page for Study Session and Closed Session Agenda Items)

**COMPUTER INTERNET ACCESS TO CITY COUNCIL/REDEVELOPMENT AGENCY
AGENDA IS AVAILABLE PRIOR TO CITY COUNCIL MEETINGS
<http://www.surfcity-hb.org>**

(City Council) Annual Joint Study Session between the City Council and the Investment Advisory Board – Annual Report on Investments to the City Council (October 1, 2002 to September 30, 2003) (.)

Roll Call – Investment Advisory Board - Bob Glass, Chair; Paul Arms; Joe Foye; Edward Kerins; Dianne Shelton; James Steinkirchner.

The Investment Advisory Board (IAB) will provide its annual update to the City Council regarding activities for Fiscal Year 2002/2003.

****Transmittal of the Annual Report titled *City of Huntington Beach Investment Advisory Board (IAB) Annual Report to the City Council for the period October 1, 2002 to September 30, 2003* is included in the agenda packet.**

****PowerPoint slideshow titled *Joint Study Session IAB/City Council November 17, 2003* is included in the agenda packet.**

Call Closed Session of City Council/Redevelopment Agency

Recommended Action: Motion to recess to Closed Session on the following items:

1. **(City Council) Closed Session** – Pursuant to Government Code Section 54956.9(a) to confer with its attorney regarding pending litigation which has been initiated formally and to which the City is a party. The title of the litigation is **Arroyo v. City of Huntington Beach**; Orange County Superior Court Case No. 03CC07135. **Subject: Arroyo v. City of Huntington Beach.** (120.80)
2. **(City Council) Closed Session** – Pursuant to Government Code Section 54956.9(a) to confer with its attorney regarding pending litigation which has been initiated formally and to which the City is a party. The title of the litigation is **Huss, et al. v. City of Huntington Beach**; U.S. District Court Case No. SACV 98-249 AHS (ANx). (120.80)
3. **(City Council) Closed Session** – Pursuant to Government Code Section 54956.9(a) to confer with its attorney regarding pending litigation which has been initiated formally and to which the City is a party. The title of the litigation is **Charles Nowotny v. Johnson, City of Huntington Beach, et al.**; U.S. District Court Case No. CV 99-13098-FMC. **Subject: Charles Nowotny v. Johnson, City of Huntington Beach, et al.** (120.80)
4. **(City Council) Closed Session** – Pursuant to Government Code Section 54956.9(a) to confer with its attorney regarding pending litigation which has been initiated formally and to which the City is a party. The title of the litigation is **Shugart v. City of Huntington Beach**, United States District Court Case No. SA CV 91-0475 AHS (RWRx). (120.80)
5. **(City Council) Closed Session** – Pursuant to Government Code Section 54956.9(a) to confer with its attorney regarding pending litigation which has been initiated formally and to which the City is a party. The title of the litigation is **Opp v. City of Huntington Beach, et al.**; Court of Appeals, Fourth Appellate District, Division 3, Case No. G025947 [Opp I]; and **Opp v. City of Huntington Beach, et al.**; Orange County Superior Court Case No. 748927, Court of Appeals Case No. G030601 [Opp II]. **Subject: Opp v. City of Huntington Beach, et al. [Opp I and Opp II].** (120.80)
6. **(City Council) Closed Session** – Pursuant to Government Code Section 54957.6 to meet with its designated representatives: Agency Negotiators: Ray Silver, City Administrator; William Workman, Assistant City Administrator; Clay Martin, Director of Administrative Services; Jim Engle, Director of Community Services; Kenneth Small, Chief of Police; Duane Olson, Fire Chief; and Steven M. Berliner, Esq. and Bruce Barsook, Esq. of Liebert Cassidy Whitmore regarding **labor relations matters – meet and confer** with the following employee organizations: **MEO, MEA, PMA, FMA, HBPOA, HBFA, MSOA, SCLEA and Non-Associated.** (120.80)
7. **(City Council) Closed Session** – Pursuant to Government Code Section 54956.9(c) to confer with its attorney regarding pending litigation. Based on existing facts and circumstances, the legislative body of the local agency has decided to initiate or is deciding whether to initiate litigation. Number of Potential Cases: **one.** **Subject: Potential Litigation.** (120.80)

The City Council and the Redevelopment Agency of the City of Huntington Beach will regularly convene in joint session for the purpose of considering the following City Council-Redevelopment Agency Agenda Items.

The Huntington Beach Parking Authority, Civic Improvement Corporation, and the Huntington Beach Public Financing Authority are also agencies on which Council serves as members.

On each Agenda these Agencies may have items scheduled.

When an Agenda Item requires action by any of these Agencies, it will show in parenthesis preceding the item, for example (City Council-Redevelopment Agency).

7:00 P.M. - Council Chambers**Reconvene City Council/Redevelopment Agency Meeting**

- ** The City Attorney Shall Determine If Any Actions Taken By The City Council or Redevelopment Agency In Closed Session Shall Require A Reporting On Those Actions As Required By Law (Government Code §54957.1(a) (3) (B)).**

Roll Call Sullivan, Coerper, Green, Boardman, Cook, Houchen, Hardy

Pledge of Allegiance - Led by Mayor Connie Boardman.

Observe Moment of Silence – To reflect on matters before Council this evening.

Pursuant to the Brown (Open Meetings) Act the City Clerk Announces Late Communications Received by Her Office Which Pertain to Items on the Agenda

(1) The Brown (Open Meetings) Act requires that copies of late communications submitted by City Councilmembers or City Departments are to be made available to the public at the City Council meeting. (2) Late communications submitted by members of the public are to be made available to the public at the City Clerk's Office the morning after the Council meeting. (Late Communications are communications regarding agenda items that have been received by the City Clerk's office following distribution of the agenda packet.)

Presentation - Mayor Connie Boardman will be recognizing some of the exceptional city employees who have assisted her during her year as Mayor. (160.40)

B. PUBLIC COMMENTS

Hello and welcome to the Huntington Beach City Council meeting.

If you would like to address the Council please fill out the pink public comment sheet attached to this agenda.

After completing the form, hand it to the Sergeant at Arms and he will give it to the City Clerk. Council members strive to treat members of the public with respect and we ask that you also express your concerns and opinions in a civil and respectful manner.

Pursuant to the Brown (Open Meeting) Act, the City Council may not discuss items unless they are on our agenda. So if you are speaking on an item not on the agenda, we cannot discuss the issue with you at this meeting. However, if you wish to meet with any of us please call the Council's Secretary at 714-536-5553.

Thank you for taking the time to come to the council meeting to address the council.

**This is the time to address Council regarding items of interest or
on agenda items OTHER than Public Hearings.**

3 minutes per person, time may not be donated to others.

No action can be taken by Council/Agency on this date unless agendaized.

Complete the attached pink form and give to the Sergeant-At-Arms located near the speaker's podium

PUBLIC COMMENTS:**C-1. Council Committee/Council Liaison Reports****C-2. City Administrator's Report**

D. PUBLIC HEARINGS

Anyone wishing to speak on an OPEN public hearing is requested to complete the attached pink form and give it to the Sergeant-at-Arms located near the Speaker's Podium.

D-1. (City Council) Public Hearing to Consider Zoning Map Amendment No. 00-02 Filed by Paul Rothenberg, Canyon Consulting on behalf of Lowe's Home Improvement Warehouse (Located n/s of Warner Avenue Approximately 500' e/o Beach Boulevard) – Approve Introduction of Ordinance No. 3624 (.)

Communication from the Planning Director.

Applicant Paul Rothenberg, Canyon Consulting on behalf of Lowe's Home Improvement Warehouse.

Request: Zoning Map Amendment: To amend the zoning on the 17.4 acre former Rancho View School and existing Ocean View School District Bus Maintenance Facility from Public-Semipublic to General Commercial.

Location Bounded by Warner Avenue on the south, B Street on the west, Roubidoux Drive on the north, and multi-housing units located just west of Minoru Lane on the east.

Notice is hereby given that this Agenda item is covered by Environmental Impact Report No. 00-01, certified as adequate and complete in accordance with CEQA requirements by the Planning Commission on October 28, 2003.

ON FILE: A copy of the proposed request is on file in the City Clerk's Office, 2000 Main Street, Huntington Beach, California 92648, for inspection by the public. A copy of the staff report will be available to interested parties at the City Clerk's Office on Thursday November 13, 2003.

ALL INTERESTED PERSONS are invited to attend said hearing and express opinions or submit evidence for or against the application as outlined above. If you challenge the City Council's action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City at, or prior to, the public hearing. If there are any further questions please call the Planning Department at 536-5271 and refer to the above items. Direct your written communications to the City Clerk

1. Staff report
2. City Council discussion
3. Open public hearing
4. Following public input, close public hearing

****PowerPoint presentation titled *Lowe's Home Improvement Warehouse City Council Meeting November 17, 2003 Zoning Map Amendment No. 00-02* is included in the agenda packet.**

Recommended Action: Motion to:

PLANNING COMMISSION AND STAFF RECOMMENDATION: Motion to:

Approve Zoning Map Amendment No. 00-02 (Attachment No. 2) with Findings for Approval (Attachment No. 1)" and approve for introduction **Ordinance No. 3624** – "*An Ordinance of the City of Huntington Beach Amending the Huntington Beach Zoning and Subdivision Code by Amending District Map 27 (Sectional District Map 24-5-11) to Rezone the Real Property Generally Located on the North Side of Warner Avenue Approximately 500 Feet East of Beach Boulevard from PS (Public-Semi Public) to CG (General Commercial) (Zoning Map Amendment No. 00-02).*"

D-2a. (City Council) Part 1 of 2 Parts of Public Hearing: (1.) Consider Appeal Filed by Mayor Connie Boardman of the Planning Commission's Certification of Environmental Impact Report (EIR) No. 00-02 (Poseidon Seawater Desalination Plant Located at 21730 Newland Street, east side, south of Edison Avenue) - Application Filed by Poseidon Resources Corporation – Approve Resolution No. 2003-82 and (2.) For Part 2 - See Agenda Item to Follow (.)

Communication from the Planning Director.

Applicant: Poseidon Resources Corporation

Appellant: Mayor Connie Boardman

Request: To analyze the potential environmental impacts associated with the implementation of a proposed 50 million gallons per day seawater desalination plant.

Location: 21730 Newland (east side, south of Edison Avenue)

ON FILE: A copy of the proposed request is on file in the City Clerk's Office, 2000 Main Street, Huntington Beach, California 92648, for inspection by the public. A copy of the staff report will be available to interested parties at the City Clerk's Office on Thursday November 13, 2003.

ALL INTERESTED PERSONS are invited to attend said hearing and express opinions or submit evidence for or against the application as outlined above. If you challenge the City Council's action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City at, or prior to, the public hearing. If there are any further questions please call the Planning Department at 536-5271 and refer to the above items. Direct your written communications to the City Clerk

1. Staff report
2. City Council discussion
3. **Open public hearing on this and the following agenda item**
4. Following public input, close public hearing

****PowerPoint presentation titled *Environmental Impact Report No. 00-02 - Poseidon Seawater Desalination Plant* is included in the agenda packet.**

****Communications in favor received from Tanveer Rao and Gino Rapagna.**
 Communication from Surfrider Foundation in opposition and Communication from California Energy Commission stating concerns regarding the Environmental Impact Report.
 Communication from George Tripp regarding 3 concerns he believes have not been addressed.

Recommended Action: Motion to:

PLANNING COMMISSION AND STAFF RECOMMENDATION: Motion to:
 Certify EIR No. 00-02 as adequate and complete in accordance with CEQA (the California Environmental Quality Act) requirements by approving **Resolution No. 2003-82 - "A Resolution of the City Council of the City of Huntington Beach Certifying the Final Environmental Impact Report No. 00-02 (SCH#2001051092) for the Poseidon Seawater Desalination Project."**

(See Next Page for Part 2 of Public Hearing)

D-2b. (City Council) Part 2 of 2 Parts of Public Hearing: (1.) For Part 1 – See Preceding Agenda Item and (2.) Approve Conditional Use Permit (CUP) No. 02-04 and Coastal Development Permit (CDP) No. 02-05 (Poseidon Seawater Desalination Plant Located at 21730 Newland (e/s, s/o Edison Avenue) – Approve CEQA (California Environmental Quality Act) Statement of Findings and Fact with a Statement of Overriding Considerations – Approve Mitigation Monitoring and Reporting Program (.)

Communication from the Planning Director

Applicant: Poseidon Resources Corporation

Request: To construct a 50 million gallons per day seawater desalination plant including a 10,120 sq. ft. administration building, a 38,090 sq. ft. reverse osmosis building, a 36,305 sq. ft. product water storage tank, and miscellaneous accessory structures on an 11 acre lease area. The proposed improvements include up to four miles of water transmission lines in Huntington Beach, one mile of which will be within the Coastal Zone, to connect to an existing regional transmission system in Costa Mesa. The project also includes perimeter landscaping and fencing along Newland Street and Edison Avenue.

Location: 21730 Newland (east side, south of Edison Avenue)

Notice is hereby given that this Agenda item is located in the appealable jurisdiction of the Coastal Zone and includes Coastal Development Permit No. 02-05 filed on January 22, 2002, in conjunction with the above request.

Notice is hereby given that the Coastal Development Permit hearing consists of a staff report, public hearing, City Council discussion and action. The City Council's action on this item may be appealed to the Coastal Commission within ten (10) working days from the date of receipt of the notice of final City action by the Coastal Commission pursuant to Section 245.32 of the Huntington Beach Zoning and Subdivision Ordinance and Section 13110 of the California Code of Regulations, or unless Title 14, Section 13573 of the California Administrative Code is applicable. The Coastal Commission address is South Coast Area Office, 200 Oceangate, 10th Floor, Long Beach, CA 90802-4302, phone number: (310) 570-5071.

ON FILE: A copy of the proposed request is on file in the City Clerk's Office, 2000 Main Street, Huntington Beach, California 92648, for inspection by the public. A copy of the staff report will be available to interested parties at the City Clerk's Office on Thursday November 13, 2003.

ALL INTERESTED PERSONS are invited to attend said hearing and express opinions or submit evidence for or against the application as outlined above. If you challenge the City Council's action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City at, or prior to, the public hearing. If there are any further questions please call the Planning Department at 536-5271 and refer to the above items. Direct your written communications to the City Clerk

1. Staff report
2. City Council discussion
3. **Open public hearing on this and the preceding agenda item**
4. Following public input, close public hearing

(Continued on the Next Page)

** PowerPoint presentation titled *CUP No. 02-04/CDP No. 02-05 Poseidon Seawater Desalination Plant* is included in the agenda packet.

Recommended Action: Motion to:

STAFF RECOMMENDATION: Motion to:

1. Approve Conditional Use Permit (CUP) No. 02-04 and Coastal Development Permit (CDP) No. 02-05 to permit Poseidon Seawater Desalination Plant with staff recommended findings and conditions of approval (Attachement No. 1);

and

2. Approve CEQA Statement of Findings and Fact with a Statement of Overriding Considerations (Attachement No. 7);

and

3. Approve the Mitigation Monitoring and Reporting Program (Attachment No. 8).

E. CONSENT CALENDAR

All matters listed on the Consent Calendar are considered by the City Council and Redevelopment Agency to be routine and will be enacted by one motion in the form listed.

Recommended Action: Approve all items on the Consent Calendar by affirmative roll call vote.

- E-1. (Redevelopment Agency) Adopt Agency Resolution No.346 of the Redevelopment Agency Amending the Agency Debt Pursuant to the Operative Agreement Between the City of Huntington Beach and the Redevelopment Agency for the Huntington Beach Redevelopment Project (Merged Project Area)** (.) – Adopt **Resolution No. 346** - “A Resolution of the Redevelopment Agency of the City of Huntington Beach Amending the Agency Debt Pursuant to the Operative Agreement Between the City of Huntington Beach and the Redevelopment Agency of the City of Huntington Beach for the Huntington Beach Redevelopment Project.” Submitted by the Administrative Services Director and the Economic Development/Deputy Executive Director. Funding Source: Not applicable.
- E-2. (City Council) Approve Project Plans and Specifications and Authorize Advertisement of Bids for Alabama Storm Drain Improvement Project; CC-1214** (.) – Approve project plans and specifications and authorize advertisement of bids for Alabama Storm Drain Improvement Project; CC-1214. Submitted by the Public Works Director and Economic Development Director. Funding Source: Funds are available through an EPA grant and a CDBG grant with the local match from the City’s sewer fund. The City also anticipates additional funding through the Orange County Sanitation District’s Cooperative Projects Program. The engineer’s cost estimate is \$1,500,000. Final funding sources will be determined prior to award of contract.
- E-3. (City Council/Redevelopment Agency) Approve Sale Under the City’s Municipal Code Surplus Property Provisions of Property at 2502 Delaware Avenue for Habitat for Humanity Housing Project (Remnant from Yorktown Widening Project)** (.) – **City Council Actions:** - 1. Approve the sale of the parcel at 2502 Delaware to the Redevelopment Agency for \$153,000 (appraised value less 10%) and authorize the Mayor and City Clerk to execute the *Grant Deed* from the City to the Redevelopment Agency and send to the County for recordation after the Agency Clerk has affixed the Acceptance Certificate of the Redevelopment Agency. **Redevelopment Agency Action:** 2. Authorize acceptance of the *Grant Deed* by the Redevelopment Agency. Submitted by the Economic Development Director/Deputy Executive Director and Administrative Services Director. Funding Source: Redevelopment Agency Housing Set Aside. (\$153,000 will be credited to Measure M account.)

- E-4. **(City Council) Approve Complimentary Two-Hour Parking at the Business Zone Meters in Downtown Huntington Beach During the Holidays from December 12, 2003 through January 2, 2004** (.) – Direct staff to implement free, two-hour parking at the downtown business zone parking meters from December 12, 2003 through January 2, 2004. Submitted by the Community Services Director. Funding Source: Potential loss of approximately \$20,000 in revenue to the General Fund. (Complimentary parking areas are: Main Street from Pacific Coast Highway to Orange Ave; Walnut Avenue from 3rd to 5th Streets; Olive Avenue from 3rd to 5th Streets; and parking lot on s/e corner of Walnut Avenue and 5th Street.)
- E-5. **(City Council) Approve the Memorandum of Understanding (MOU) Between the City of Huntington Beach and the Boys and Girls Club of Huntington Valley to Provide Support Services for the Pioneer Family Resource Center** (.) – Approve the *Memorandum of Understanding between the City of Huntington Beach and the Boys and Girls Club of Huntington Valley* to provide support services for the Pioneer Family Resource Center. Submitted by the Community Services Director. Funding Source: Not applicable.
- E-6. **(City Council) Approve Amendment of City Budget to Increase City Attorney's Office Attorney Fees, Professional Services Account** (.) – Approve and authorize the Director of Administrative Services to appropriate \$10,000 from the General Fund Balance to the City Attorney's Office Attorney Fees, Professional Services Account. Submitted by the City Attorney. Funding Source: General Fund Unreserved / Undesignated Fund. (Fiscal Impact Statement (FIS) 2004-08)
- E-7. **(City Council) Approve Closure of City Hall to the Public for Christmas(December 24, 25, and 26, 2003) and New Year's Day (December 31, 2003, January 1 and 2, 2004** (.) Close City Hall to the public the day before and the day after Christmas Day and New Year's Day. Submitted by the City Administrator. Funding Source: Not applicable.
- E-8. **(City Council) Receive, Review and File City Clerk's Passport Acceptance Facility Operations Report for the Period of April 2003 through September 2003** (100.30) – Receive, review and file the Passport Acceptance Facility Report showing **net profit of \$33,796.34** for the period of **April 2003** through **September 2003**, as prepared and submitted by the Office of the City Clerk. Submitted by the City Clerk. Funding Source: Not applicable. (**Total net profit** since inception in February 2000 is **\$126,147.93**)
- E-9. **(City Council) Approve an Amendment to the 2003-2004 Budget to Add a Legal Secretary Permanent Position to City Attorney's Office Table of Organization** (.) – Approve and authorize the Director of Administrative Services to amend the 2003/2004 budget to add a Legal Secretary permanent position to City Attorney's Office Table of Organization and transfer the funds to the salary and benefits portion of the City Attorney's office budget. Submitted by the City Attorney. Funding Source: \$55,694.00 from the General Fund Attorney Fees Professional Services Account.

- E-10. (City Council) Accept the Homeland Security Grant Between the City and the County of Orange-Office of Emergency Services (OES) for Funding Cycle Year 2003-2004 (.) – 1.** Accept the Homeland Security Grant between the County of Orange-Office of Emergency Services and the City of Huntington Beach for funding cycle year 2003-2004; and **2.** Authorize the Chief of Police, Fire Chief and the Director of Community Services to expend funds to cover the overtime costs to train and equip their respective personnel; and **3.** Approve the appropriation of \$376,422.00 plus any additional funds that may be needed for salary increases from the unreserved, undesignated General Fund Balance, to be reimbursed by the grant from the County of Orange-Office of Emergency Services. Submitted by the Chief of Police, Fire Chief, and Community Services Director. Funding Source: Estimated to be \$376,422.00 to be appropriated from the unreserved, undesignated General Fund Balance and will be reimbursed fully by a grant from OES. No other matching or in-kind City funds are required for this grant. (Fiscal Impact Statement (FIS) 2004-07.)
- E-11. (City Council) Approve and Accept Project Grant AM04015-You Drink and Drive, You Lose, Sobriety Checkpoint Program Grant between the State of California-Office of Traffic Safety (OTS) and the City (.) – 1.** Approve and accept Project Grant Am04015-You Drink and Drive, You Lose, between the State of California-Office of Traffic Safety and the City of Huntington Beach; and **2.** Approve the appropriation of \$17,901.00 from the unreserved, undesignated General Fund Balance, to be reimbursed by the grant from the Office of Traffic Safety; and **3.** Authorize the expenditure of funds not to exceed \$17,901.00 to provide driving under the influence enforcement. Submitted by the Chief of Police. Funding Source: Appropriate funds from the unreserved, undesignated General Fund to be reimbursed by a grant, which is funded by the State of California-OTS (Office of Traffic Safety) in the amount of \$17,901 for December 2003 through July 2004. No other matching or in-kind City funds are required. (Fiscal Impact Statement 2004-05)

F. Administrative Items**F-1. (City Council) Approve Hosting of Pacific Shoreline Marathon Run on February 1, 2004 and Adopt Resolutions No. 2003-83 Requesting CalTrans Approve Street Closure of Pacific Coast Highway and Resolution No. 2003-84 for Temporary Closure of Local, Inland Streets (.)**

Communication from the Community Services Director informing Council that resolutions are required to close Pacific Coast Highway and inland streets to operate the event in Huntington Beach on Sunday, February 1, 2004.

Recommended Action: Motion to:

1. Adopt **Resolution No. 2003-83** – *“A Resolution of the City Council of the City of Huntington Beach Requesting CalTrans Approve the Closing of Pacific Coast Highway for the Huntington Beach Pacific Shoreline Marathon Run;”*

and

2. Adopt **Resolution No. 2003-84**- *“A Resolution of the City Council of the City of Huntington Beach for the Temporary Closure of Portions of Goldenwest Street, Garfield Avenue, Edwards Street, Ellis Avenue, Talbert Avenue, Seapoint Street, Inlet Drive, Overlook Drive, Summit Drive, Varsity Drive, and Central Park Drive for the Pacific Shoreline Marathon Run.”*

F-2a. (City Council) Adopt Resolution No. 2003-85 – Ordering Submission to Voters of City Measure for a Proposed Charter Amendment for the Creation of Seven Councilmanic Districts, Elected by District, and Imposition of Lifetime Two-Term Limit to Commence with November 2004 General Municipal Election (Adds Measure to March 2004 Special Municipal Election) (.)

Communication from the City Attorney and the City Clerk requesting if Council shall submit to the voters the following proposed City Charter Amendment at the March 2, 2004 election:

Shall the Huntington Beach City Charter be amended, commencing with the November 2004 General Municipal Election, to provide for: (1) dividing the City into seven separately elected City Council districts instead of the existing City-wide election at-large; and (2) proposing an eight-year (two four year terms) lifetime limit on a councilmember's term of office, instead of the existing limit of two consecutive four year terms?	YES	
	NO	

Actions Available to Council:

Recommended Action: Motion to:

- (a.) Adopt **Resolution No. 2003-85** – “A Resolution of the City Council of the City of Huntington Beach Ordering Submission to the Qualified Electors of the City a Certain Measure Relating to the Amendment of the City Charter to Provide for the Election of Seven Councilmembers Each by District, Instead of the Existing Seven Councilmembers Elected at Large, and to Impose a Lifetime Two Term Limit on Elected Councilmembers Instead of the Existing Consecutive Two Term Limit;”

OR

- (b.) Do not adopt **Resolution No. 2003-85** which would result in the measure not being submitted to the voters.

(See Related Agenda Item F-2b on the Following Page)

F-2b. (City Council) Adopt Resolution No. 2003-86 Setting Priorities for Written Arguments to Proposed City Measure as a City Charter Amendment for the Creation of Seven Councilmanic Districts, Elected by District, and Imposition of Lifetime Two-Term Limit to Commence with November 2004 General Municipal Election and Directing City Attorney to Prepare an Impartial Analysis to Said City Measure to March 2004 Special Municipal Election (.)

Communication from the City Attorney and the City Clerk transmitting that with regard to written arguments, if Council wishes to have first priority to file arguments relative to the measure to create seven councilmanic districts, the Council **may** vote to: **(1)** Authorize and name Councilmembers to file argument in **favor**; or **(2)** Authorize and name Councilmembers to file argument **against**; or **(3)** Authorize and name Councilmembers to file an argument in **favor** and an argument **against**. (Sometimes done to allow minority of members to file opposing arguments.

If Councilmembers choose not to authorize its members to file written arguments, the City Clerk will select written arguments pursuant to State Elections Code § 9287.

Shall the Huntington Beach City Charter be amended, commencing with the November 2004 General Municipal Election, to provide for: (1) dividing the City into seven separately elected City Council districts instead of the existing City-wide election at-large; and (2) proposing an eight-year (two four year terms) lifetime limit on a councilmember's term of office, instead of the existing limit of two consecutive terms?	YES	
	NO	

Actions Available to Council:

Recommended Action: Motion to:

- (a.)** After naming Councilmembers authorized to file written arguments, and to direct the preparation of an Impartial Analysis, adopt **Resolution No. 2003-86** – “A Resolution of the City Council of the City of Huntington Beach Setting Priorities for Filing a Written Argument Regarding a City Measure (a Proposed Charter Amendment) and Directing the City Attorney to Prepare an Impartial Analysis of Said Measure;”

OR

- (b.)** Adopt **Resolution No. 2003-86, as amended**, to **not** give Council first priority to file written arguments but to direct the preparation of an impartial analysis;

OR

- (c.)** Do not adopt **Resolution No. 2003-86** which would result in priority not given to Council, and no Impartial Analysis.

Ordinances**G.1a Ordinances for Adoption - None****G.2 Ordinances for Introduction**

- G-2a. (City Council) Approve for Introduction Ordinance No. 3622 Amending Chapter 5.50 of the Huntington Beach Municipal Code Pertaining to Regulation of Mobile Vendors** (.) - *“An Ordinance of the City of Huntington Beach Amending Chapter 5.50 of the Huntington Beach Municipal Code Relating to Mobile Vending.”* (Modifies distance mobile vending is permitted from school, playground, or park from 500 feet to 300 feet; and designates Planning Department as permitting authority instead of City Treasurer.)

Recommended Action: After City Clerk reads by title, approve introduction of **Ordinance No. 3622**, by roll call vote.

- G-2b. (City Council) Approve for Introduction Ordinance No. 3623 Repealing Chapter 9.64 and adding Chapter 9.90 to the Huntington Beach Municipal Code Relating to Door-to-Door Solicitations** (.) - *“An Ordinance of the City of Huntington Beach Amending the Huntington Beach Municipal Code by Deleting Chapter 9.64 in its Entirety (Registration of Canvassers) and Adding Chapter 9.90 Relating to Door-to-Door Solicitation.”* (Update ordinance to conform to current state and federal law)

Recommended Action: After City Clerk reads by title, approve introduction of **Ordinance No. 3623** by roll call vote.

Council Comments - (Not Agendized)

At this time Councilmembers may report on items not specifically described on the agenda which are of interest to the community. No action or discussion may be taken except to provide staff direction to report back or to place the item on a future agenda.

Council/Agency Adjournment to Monday ***December 1, 2003, at 6:00 p.m., in the Council Chambers***, Civic Center, 2000 Main Street, Huntington Beach, California. The 5:00 p.m. portion of the meeting will be recessed to 6:00 p.m. due to an anticipated lack of quorum.

Council/Agency Agendas and Minutes are Available at No Charge to the Public at the City Clerk's Office, on the City's Website, Via Email, and Through Paid Subscription. Complete Agenda Packets are Available at the Central Library and Library Branches on Friday Prior to Meetings. Videotapes of Council Meetings are Available for Checkout at the Central Library at No Charge.

CONNIE BROCKWAY, CITY CLERK
City of Huntington Beach
2000 Main Street - Second Floor
Huntington Beach, California 92648

Internet: <http://www.surfcity-hb.org>